

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TEO VAN PHAN and KIM NGUYEN,

Defendants.

4:12-CR-3059

FINAL ORDER OF FORFEITURE

This matter is before the Court on the plaintiff's Motion for Final Order of Forfeiture (filing [223](#)).

On November 21, 2012, the Court entered a Preliminary Order of Forfeiture (filing [210](#)) pursuant to [18 U.S.C. § 981\(a\)\(1\)\(C\)](#) and [28 U.S.C. § 2461\(c\)](#), based upon the defendants' guilty pleas to committing mail fraud and admission of the forfeiture allegation contained in the indictment (filing [1](#)). By way of the preliminary order of forfeiture, and the Court's imposition of forfeiture at sentencing, the defendants' interests in the following property were forfeited to the plaintiff:

- All "contraband cigarettes" addressed and delivered to 2742 Holdrege, Apt. 2, Lincoln, Nebraska, between September 20, 2011, and May 22, 2012;
- 341 packs of "contraband cigarettes" located and seized from 2742 Holdrege, Apt. 2, Lincoln, Nebraska, on April 24, 2012;
- All "contraband cigarettes" addressed and delivered to 3940 N. 20th St., Lincoln, Nebraska, between September 20, 2011, and May 22, 2012;
- 441 packs of "contraband cigarettes" located and seized from 3940 N. 20th St., Lincoln, Nebraska, on April 24, 2012;
- \$4,400.00 in U.S. currency located and seized from 3940 N. 20th St., Lincoln, Nebraska, on April 24, 2012;

- All "contraband cigarettes" addressed and delivered to 4140 N. 20th St., Lincoln, Nebraska, between September 20, 2011, and May 22, 2012;
- 1 pack of "contraband cigarettes" located and seized from 4140 N. 20th St., Lincoln, Nebraska, on April 24, 2012;
- All "contraband cigarettes" addressed and delivered to 663 S. 19th St., Apt. B2, Lincoln, Nebraska, between September 20, 2011, and May 22, 2012;
- 7 cartons of "contraband cigarettes" located and seized from 663 S. 19th St., Apt. B2, Lincoln, Nebraska, on April 24, 2012;
- All "contraband cigarettes" addressed and delivered to 1715 4th Corso, Apt. 2, Nebraska City, Nebraska, between September 20, 2011, and May 22, 2012;
- 8 packs of "contraband cigarettes" located and seized from 1715 4th Corso, Apt. 2, Nebraska City, Nebraska, on April 24, 2012; and
- \$1,649.00 in U.S. currency located and seized from 1715 4th Corso, Apt. 2, Nebraska City, Nebraska, on April 24, 2012.

As directed by the order, a Notice of Criminal Forfeiture was posted beginning on November 27, 2012, on an official Internet government forfeiture site, www.forfeiture.gov, for at least 30 consecutive days, as required by [Supp. Admiralty and Maritime Claims R. G\(4\)\(a\)\(iii\)\(B\)](#). A Declaration of Publication (filing [222](#)) was filed on January 30, 2013. The Court has been advised by the plaintiff that no petitions have been filed, and from a review of the Court file, the Court finds no petitions have been filed.

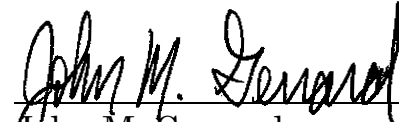
IT IS ORDERED:

1. The plaintiff's Motion for Final Order of Forfeiture (filing [223](#)) is granted.
2. All right, title, and interest in and to the property described above held by any person or entity are forever barred and foreclosed.

3. The property is forfeited to the plaintiff.
4. The plaintiff is directed to dispose of the property in accordance with law.

Dated this 4th day of February, 2013.

BY THE COURT:



John M. Gerrard
United States District Judge